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TO: (by request of Examiner Christopher Yaen)

COMPANY/FIRM: USPTO

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FROM: Brian Amos

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 13

DATE: October 19, 2005

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MESSAGE:

re: U.S. Serial No. 09/534,711

At the request of Examiner Christopher Yaen, please find enclosed a courtesy copy of the response filed by applicants in connection with U.S. Serial No. 09/534,711 on July 6, 2005 and a copy of the stamped returned postcard.

Sincerely

Brian Amos.

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED SOLELY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS TRANSMISSION MAY BE AN ATTORNEY-CLIENT COMMUNICATION CONTAINING INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT A DESIGNATED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO A DESIGNATED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, OR IF UPON READING THIS DOCUMENT YOU HAVE REASON TO BELIEVE THAT THE DOCUMENT WAS INADVERTENTLY SENT TO YOU, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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F-895

Philip O. Livingston et al.  
1747 (MSK) 53437-A-PCT-US JPW/BJA  
July 6, 2005

AMENDMENT IN RESPONSE TO APRIL 6, 2005 FINAL OFFICE ACTION for Philip O. Livingston et al. entitled FUCOSYL GM1-KLH CONJUGATE VACCINE AGAINST SMALL CELL LUNG CANCER, filed March 24, 2000, U.S. Serial No.09/534,711, including a Certificate of Mailing dated July 6, 2005.

DUE DATE: JULY 6, 2005

FILE

Applicant Philip O. Livingston et al.  
Client 1747 (MSK) 53437-A-PCT-US JPW/BJA  
Date July 6, 2005

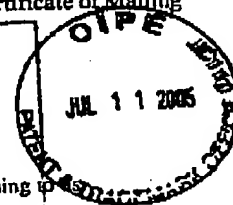
Kindly acknowledge receipt of the accompanying

AMENDMENT IN RESPONSE TO APRIL 6, 2005 FINAL OFFICE ACTION for Philip O. Livingston et al. entitled FUCOSYL GM1-KLH CONJUGATE VACCINE AGAINST SMALL CELL LUNG CANCER, filed March 24, 2000, U.S. Serial No.09/534,711, including a Certificate of Mailing dated July 6, 2005.

DUE DATE: JULY 6, 2005

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Docket No. 1747/53437-A-PCT-US/JPW/RJAIN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant(s): Philip O. Livingston et al.Serial No. : 09/534,711Examiner: C. YaenFiled: March 24, 2000Group Art Unit: 1642For : FUCOSYL GM1-KLH CONJUGATE VACCINE AGAINST SMALL CELL  
LUNG CANCERMail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450Date: July 6, 2005

Sir:

Transmitted herewith is an amendment to the above-identified application.

X Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.       A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.X No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For <sup>1</sup>	Number of Extra Claims Presented	RATE		FEE	
				Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	6 -	* 20 =	*** 0 x	\$25	\$50	= 0	
Indepen-dent Claims	3 -	** 3 =	*** 0 x	\$100	\$200	= 0	
Multiple Dependent Claim(s) Presented For First Time <u>      </u> yes <u>X</u> No				\$180	\$360	= 0	
				TOTAL ADDITIONAL FEE		\$ 0	

- <sup>1</sup> The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.
- \* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
  - \*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
  - \*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".


JPW Rev. 1-7-05

Applicant(s): Philip O. Livingston et al.Serial No. : 09/534,711Filed : March 24, 2000Amendment Transmittal Letter  
Page 2

The following are also enclosed:

☒ One additional copy of this Amendment Transmittal Letter☒ Return Receipt Postcard☐ An Information Disclosure Statement, including Form PTO-1449  
(Copies of citations included: Yes \_\_\_\_\_ No \_\_\_\_\_  
and a fee of \$ \_\_\_\_\_ included)☐ A Petition for an Extension of Time, including a fee of  
\$ \_\_\_\_\_ for a Petition for \_\_\_\_\_ Month(s) Extension of Time☐ Other (identify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_THE TOTAL FEE DUE IS \$ 0☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of  
\$ \_\_\_\_\_☒ The Commissioner is hereby authorized to charge any additional fees  
required or credit any overpayment to Deposit Account No. 03-3125  
as follows:☒ Fees under 37 C.F.R. §1.16 for the presentation of extra claims  
☐ Patent application processing fees under 37 C.F.R. §1.17

Respectfully submitted,

John P. White  
Registration No. 28,678  
Attorney for Applicant(s)  
Cooper & Dunham LLP (Customer #23432)  
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(212) 278-0400I hereby certify that this  
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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 7/6/05  
John P. White Date  
Reg. No. 28,678

OCT 19 2005

Dkt. 1747/53437-A-PCT-US/JPW/BJA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Philip O. Livingston et al.  
Serial No.: 09/534,711 Examiner: C. Yaen  
Filed : March 24, 2000 Group Art Unit: 1642  
For : FUCOSYL GM1-KLH CONJUGATE VACCINE AGAINST  
SMALL CELL LUNG CANCER

1185 Avenue of the Americas  
New York, NY 10036  
July 6, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Amendment

Sir:

AMENDMENT IN RESPONSE TO APRIL 6, 2005 FINAL OFFICE  
ACTION

This Amendment is submitted in response to an April 6, 2005 Final Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the April 6, 2005 Final Office Action is due July 6, 2005. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows: